



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/899,764	07/05/2001	Farah J. Munayyer	PD0873Q4

CONFIRMATION NO. 5580

24265  
SCHERING-PLOUGH CORPORATION  
PATENT DEPARTMENT (K-6-1, 1990)  
2000 GALLOPING HILL ROAD  
KENILWORTH, NJ 07033-0530

## FORMALITIES LETTER



\*OC000000006353519\*

Date Mailed: 07/27/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$116.
  - \$36 for 2 total claims over 20.
  - \$80 for 1 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 956.**

Adjustment date: 02/27/2002 TV0111  
02/19/2002 BABRAHA1 00000075 190365 09899764  
~~03 FC:103 36.00 CR~~  
~~04 FC:102 84.00 CR~~

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/19/2002 BABRAHA1 00000075 190365 09899764

01 FC:101 740.00 CH  
02 FC:105 130.00 CH  
~~03 FC:103 36.00 CR~~  
~~04 FC:102 84.00 CR~~



#3

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Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 2430.00

## Complete if Known

Application Number	09/899,764
Filing Date	July 5, 2001
First Named Inventor	Farah J. MUNAYYER
Examiner Name	
Group Art Unit	
Attorney Docket No.	PD0873Q4

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number  
Deposit Account Name

19-0365

Schering-Plough Corporation

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

Fee Paid

SUBTOTAL (1) (\$) 740.00

### 2. EXTRA CLAIM FEES

Total Claims 22 -20\*\* = 2 x \$18 = \$36.00  
Independent Claims 4 -3\*\* = 1 x \$84 = \$84.00  
Multiple Dependent

Fee from below

Fee Paid

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$)

Fee Description

103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 120.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	1440.00
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1570.00

## SUBMITTED BY

Name (Print/Type)

Robert A. Franks

Registration No.  
(Attorney/Agent)

28,605

Complete (if applicable)

Telephone

(908) 298-2908

Signature

Robert A. Franks

Date

January 15, 2002

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#3

PATENT  
CASE NO. PD0873Q4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Farah J. MUNAYYER et al.

Serial No. 09/899,764

Art Unit:

Filed: July 5, 2001

Examiner:

For: STABILIZED ANTIHISTAMINE SYRUP

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on July 27, 2001 for the subject application, enclosed herewith is a Fee Transmittal for charging the missing filing fee to our deposit account, together with a copy of the notice. Since this response is not being filed within the set period, a petition for an extension of time is also enclosed.

Applicants are also using this opportunity to submit a preliminary amendment and an information disclosure statement, both enclosed herewith.

Respectfully submitted,

Robert A. Franks  
Attorney for Applicants  
Reg. No. 28,605

PATENT DEPT. K-6-1 1990  
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Attorney: *Sec for*ocket No.: PD0873Q4

Serial No.: 09/899,764

Filing Date: July 5, 2001

Inventor: Farah J. Munayyer et al.

PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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### Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

on January 15, 2002

Date

Signature

Robert A. Franks

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

**Documents enclosed:**

Transmittal Letter;      Petition for Extension of Time;      Fee Transmittal (in duplicate);

Part 2 of Notice to File Missing Parts of Nonprovisional Application;

Preliminary Amendment (6 pages);

Form PTO-1449 and copies of the twelve listed documents;

Post card receipt

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